

IDAHO CONTRACTORS BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 1/17/2018

BOARD MEMBERS PRESENT: J Robert Pilote - Chair
Rodney Underhill
Todd B Webb

BOARD MEMBERS ABSENT: Gary R Bond

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Admin. Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Eric Nelson, Board Prosecutor
Mary Miles, Technical Records Specialist II

OTHERS PRESENT: Jessica Nauahi, Ohana Homes LLC
Austin Nauahi, Ohana Homes LLC
Gerald Harris-Hackbarth, Harris Quality Construction
Hank Payne, HP Flooring
David Hart, Treasure Valley Concrete LLC
Edward Bracken, Treasure Valley Concrete LLC
Oles Pishchanetski, Custom Finish Carpentry
Michael Bullard, Bullards Double Coatings LLC

The meeting was called to order at 10:00 AM MST by Mr. Pilote.

Mr. Underhill made a motion to appoint Mr. Pilote as acting Chair. It was seconded by Mr. Webb. Motion carried.

APPROVAL OF MINUTES

Mr. Webb made a motion to approve the minutes of 11/14/2017 and 12/12/2017. It was seconded by Mr. Underhill. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadlines to submit proposed law and rule revisions to the Governor's Office have passed for the 2018 Legislative Session. The deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

The Board noted that it was made aware of a legislative proposal regarding a contractor licensing board which would be housed at the Division of Building Safety.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$114,701.88 as of 12/31/2017. The Board requested a full financial report from Ms. Peel and a collection rate report from Ms. Hall at its next face to face meeting on 2/13/2018.

DISCIPLINE

Mr. Nelson presented Findings of Fact, Conclusions of Law and Final Orders for cases CON-2017-100, CON-2017-101, and CON-2018-8. Mr. Webb made a motion to approve the Final Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Underhill. Motion carried.

LEGISLATIVE INTERIM COMMITTEE UPDATE

Mr. Ellsworth stated that the Idaho Legislature has an Interim Committee that has been studying the use of Hearing Officers and is also looking at the Idaho Administrative Procedures Act. Draft legislation was presented at the Interim Committee's last meeting that would make substantial changes to Idaho Administrative Procedures Act and the way contested cases are handled. The Bureau submitted a letter to the Committee seeking clarification concerning some of the proposed changes prior to the Committee's meeting on October 2, 2017. As the Bureau receives additional information, it will be provided to the Board.

Mr. Pilote volunteered to work with the Boise Legislators.

EXECUTIVE ORDER

Ms. Eavenson outlined the Board's role in responding to the Lt. Governor's Executive Order. There is a template that will be used to complete each Board's response, and the template contains six sections:

- A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal
- B. Applications and Renewals Denied – 2017

C. Disciplinary Actions – Past 5 Years

D. Law, Rule, or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry

E. Assessment of Public Interest

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Bureau will be responsible for gathering and entering all of the data sections A, B and C of the template. The Bureau and each Board will jointly fill in section D regarding the Law, Rule or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry. The Board Specialist and Administrative Support Manager will assist the designated Board member with writing sections E and F.

Ideas for the EO that come up between meetings cannot be shared among Board members outside of Board meetings, but may be forwarded to the Board Specialist or Administrative Support Manager for inclusion in the next meeting.

The process will be completed in three meetings: 1) discussion, 2) review and approve a rough draft, and 3) review and approve a final draft. The final draft must be completed and approved by June 15, to meet the July 1, deadline for responding.

TO DO LIST

The Board reviewed the To Do List and no action was taken.

EXECUTIVE SESSION

Mr. Webb made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Underhill. The vote was: Mr. Webb, aye; Mr. Underhill, aye; and Mr. Pilote, aye. Motion carried.

Mr. Underhill made a motion to come out of executive session. It was seconded by Mr. Webb. The vote was: Mr. Webb, aye; Mr. Underhill, aye; and Mr. Pilote, aye. Motion carried.

APPLICATIONS

Mr. Webb made a motion to approve the following for registration:

Approved for Registration

OHANA HOMES LLC

RCE-46343

BULLARDS DOUBLE COATINGS LLC

RCE-46458

TREASURE VALLEY CONCRETE LLC

RCE-46471

PAYNE HANK KEITH

RCT-46323

It was seconded by Mr. Underhill. Motion carried.

Mr. Webb made a motion to approve the following for registration:

Approved for Registration

TM SEAL COATING PROFESSIONALS LLC	RCE-46386
ALL CONTRACTING LLC	RCE-46429
PRECISE CONSTRUCTION & DESIGN INC	RCE-46446
MALACARA ISABEL	RCT-46330
SYME JUSTIN BRYANT	RCT-46355

It was seconded by Mr. Underhill. Motion carried.

Mr. Underhill made a motion to approve Richard Lee Black, RCT-46510 for registration. It was seconded by Mr. Webb. Motion carried.

Mr. Underhill made a motion to approve Gerald Harris-Hackbarth, RCT-46414 for registration. It was seconded by Mr. Webb. Motion carried.

Mr. Underhill made a motion to table application number 901155378 pending further information. It was seconded by Mr. Webb. Motion carried.

Mr. Underhill made a motion to table applications 901155911 and 901154730 pending further information. It was seconded by Mr. Webb. Motion carried.

NEXT MEETING was scheduled for 2/13/2018 at 8:30 AM MST

ADJOURNMENT

Mr. Webb made a motion to adjourn the meeting at 1:10 PM. It was seconded by Mr. Underhill. Motion carried.

Gary R Bond, Chair

Rodney Underhill

J Robert Pilote

Todd B Webb

Tana Cory, Bureau Chief